



General Assembly

Substitute Bill No. 5532

February Session, 2002

**AN ACT REQUIRING REDUCTION IN GLARE AND LIGHT POLLUTION
FROM PRIVATE AREA FLOODLIGHTING LOCATED WITHIN THE
STATE RIGHT-OF-WAY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) For the purposes of
2 this section:

3 (1) "Fixture" means the assembly that holds a lamp and may include
4 an assembly housing, a mounting bracket or pole socket, a lamp
5 holder, a ballast, a reflector or mirror and a refractor or lens;

6 (2) "Luminaire" means the complete lighting system, including the
7 lamp and the fixture;

8 (3) "Lumen" means a unit of measurement of luminous flux;

9 (4) "Floodlight" means any luminaire with an output greater than
10 one thousand eight hundred lumens intended for private area lighting
11 and mounted within the state right-of-way;

12 (5) "Light trespass" means light emitted by a luminaire that shines
13 beyond the boundaries of the property designed for illumination;

14 (6) "State highway" shall have the same meaning as in subsection (a)
15 of section 13a-1 of the general statutes;

16 (7) "Direct light" means light that can be seen directly from the light
17 source and other light-emitting or reflecting elements of the luminaire;
18 and

19 (8) "Glare" means the sensation produced by the illuminance of a
20 luminaire within the visual field that is sufficiently greater than the
21 illuminance to which the eyes are adapted causing annoyance,
22 discomfort or loss in visual performance and visibility.

23 (b) No floodlight intended for private property illumination shall be
24 located within the state right-of-way on any state highway unless (1)
25 the luminaire is designed to maximize energy conservation and to
26 minimize light pollution, glare and light trespass, (2) the luminaire's
27 illuminance is equal to the minimum illuminance adequate for the
28 intended purpose, (3) the luminaire is sufficiently shielded to eliminate
29 light trespass and prevent any direct glare from any part of the
30 luminaire from being visible from the state highway or adjacent
31 property, and (4) the placement and shielding of the luminaire is in
32 strict compliance with any zoning regulations of the municipality in
33 which the luminaire is located.

34 (c) No luminaire shall be erected for illuminating any area of private
35 property if the area intended for illumination is located across the state
36 highway from the utility pole used to mount the luminaire.

37 (d) Any luminaire in violation of any provision of subsection (b) or
38 (c) of this section operating prior to October 1, 2002, shall be brought
39 into compliance with the requirements in subsection (b) of this section
40 no later than October 1, 2005.

41 (e) On and after October 1, 2005, the Commissioner of
42 Transportation shall notify an electric distribution company of any
43 reported violation of the requirements in subsection (b) of this section.
44 Any company receiving such notice shall correct the violation not later
45 than ninety days after the date of receipt of the notice. In the event an
46 electric distribution company fails to correct such violation before such
47 ninety-day period expires, the Commissioner of Transportation shall

48 impose a civil penalty of one hundred dollars per day for each day the
49 violation continues after such ninety-day period. Any penalty imposed
50 on an electric distribution company shall be paid from shareholders'
51 profits and shall not be included by the Department of Public Utility
52 Control when determining rates for such company.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>

TRA *Joint Favorable Subst.-LCO*

ET *Joint Favorable*

JUD *Joint Favorable*